

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-4 and 7 are pending in this application, Claim 1 having been presently amended, and Claims 5 and 6 having been cancelled without prejudice or disclaimer.

Support for amended Claim 1 can be found, for example, in the original claims, drawings, and specification as originally filed.¹ No new matter has been added.

In the outstanding Office Action, Claims 1, 2, 3, and 7 were rejected under 35 U.S.C. § 103(a) as unpatentable over Nishigaki (U.S. Patent No. 7,009,722) in view of Hiroshi (JP 2000-032241); and Claims 4-6 were rejected under 35 U.S.C. § 103(a) as unpatentable over Nishigaki and Hiroshi further in view of Kato (U.S. Publication No. 2001/0012397).

In response to the rejections under 35 U.S.C. § 103(a), Applicants have amended Claim 1 to recite features formerly of Claims 5 and 6. Applicants respectfully submit that amended independent Claim 1 recites novel features clearly not taught or rendered obvious by the applied references.

Independent Claim 1 is directed to an image processing apparatus including, *inter alia*:

... a data format converter configured to convert the first data format of the image data to a second data format being a general data format which can be read by a general data format converter including general image processing functions, the data format converter including

at least one multinary data resolution converter configured to determine a desired resolution range and to

¹ See page 7, lines 3-10; page 13, line 9 to page 14, line 3; page 16, lines 3-15; page 17, lines 7-20; page 26, line 18 to page 27, line 10 of the specification.

perform resolution conversion on the image data stored in the image storage unit, which is multinary image data, at a conversion rate such that resolution of the image data as a base of conversion and a resolution after the conversion fall into said desired resolution range, and

a binary resolution converter configured to perform resolution conversion on binary image data....

Page 5 of the outstanding Office Action, in the rejection of Claim 6, cites Kato as describing “at least one resolution converter is configured to perform resolution conversion on image data at a conversion rate such that resolution of the image data as a base of conversion (see paragraph [0099], [0120], [0137] and [0178]) and a resolution after the conversion fall into a predetermined range (see item 231, fig. 22 and [0164]).”

However, paragraph [0164] of Kato merely describes:

A case will be examined below with reference to FIG. 22 wherein an original image 232 consisting of 3x3 pixels is converted into a conversion image 230 of 2x2 pixels. First, the conversion image 230 is projected onto the original image 232, thus obtaining a projected image 231. Note that pixels (original pixels) in the original image 232 are indicated by X marks, pixels (conversion pixels) in the conversion image 230 are indicated by 602, and each pixel has a square region (pixel plane).

Thus, Kato fails to teach or suggest “at least one multinary data resolution converter configured to determine a desired resolution range and to perform resolution conversion on the image data stored in the image storage unit, which is multinary image data, at a conversion rate such that resolution of the image data as a base of conversion and a resolution after the conversion fall into said desired resolution range,” as recited in Claim 1. Kato merely describes that an original image consisting of 3x3 pixels is converted into a conversion image of 2x2 pixels. Kato does not describe that at least one multinary data

resolution determines a desired resolution range and converts the 3x3 image into the 2x2 image data at a ***conversion rate*** such that resolution of the image data as a base of conversion and a resolution after the conversion ***fall into the desired resolution range.***

Accordingly, Applicants submit that Claim 1 (and all claims depending thereon) patentably distinguishes over the references and respectfully request the rejections under 35 U.S.C. § 103(a) be withdrawn.

Consequently, in view of the present amendment, and in light of the above discussion, the pending claims as presented herewith are believed to be in condition for formal allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



James J. Kulbaski
Attorney of Record
Registration No. 34,648

Derek P. Benke
Registration No. 56,944

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413-2220
(OSMMN 08/07)